

### REMARKS

Claims 1-25 remain pending in the case. Claims 1-25 are rejected. Claims 3, 4, 13, 17, and 18 are amended herein. No new matter has been added as a result of the Claim amendments.

### Claim Objections

The Office Action mailed September 4, 2008 (hereinafter “instant Office Action”), states that Claims 3 and 17 are objected to because “there is a period in the second line in the claims.” (instant Office Action, page 2 section 3). The instant Office Action also states that Claims 4 and 18 are objected to “because the claims end with two periods.” (instant Office Action, page 2 section 4).

Appellant has amended Claims 3, 4, 17, and 18 to overcome the clerical errors.

The amendment was filed to amend a clerical error of Claims 3, 4, 17, and 18 to necessarily comply with claim objections with respect to the form of Claims 3, 4, 17, and 18. For this reason, Appellant respectfully submits the rejection of Claims 3, 4, 17, and 18 is moot.

### 35 U.S.C. §112 – Claims 13-25

The instant Office Action states that Claims 13-25 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and

distinctly claim the subject matter which applicant regards as the invention. Also, that Claims 14-25 are rejected as incorporating the deficiencies of a claim upon which it depends. (instant Office Action, page 2 section 6).

Appellant has amended Claim 13 to overcome the clerical error. Claims 14-25 depend on Claim 13 and were deficient because they relied on the clerical error in Claim 13. Therefore, Claims 14-25 overcome the clerical error because of the amendment to Claim 13.

The amendment was filed to amend a clerical error of Claims 13 to necessarily comply with a new rejection under 35 U.S.C. § 112, second paragraph, with respect to the form of Claims 13. For this reason, Appellants respectfully submit the rejection of Claims 13-25 under 35 U.S.C. § 112, second paragraph, is moot.

### CONCLUSION

Based on the amendments and arguments presented above, Appellants respectfully assert that the objections of record of Claims 3, 4, 17, and 18 and the rejection of record of Claim 13 under 35 U.S.C. § 112, second paragraph, are moot, and, therefore, Appellant respectfully solicits allowance of these Claims.

Respectfully submitted,

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